

**REMARKS**

Claims 1 and 4-7 are all the claims pending in the application.

**I. Response to Rejection under 35 U.S.C. § 102(b)/103(a)**

Claims 1 and 4-7 were rejected under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as being obvious over European Patent No. 1,039,007 to Hisada et al. Applicants respectfully traverse the rejection for the following reasons.

Hisada discloses in Example 5, which is relied upon by the Examiner, a spunbonded nonwoven fabric (BC-SB) constructed from sheath-core composite fibers. Polymers of the sheath and core are as follows:

Core: Propylene-ethylene random copolymer having a unit derived from propylene of 96 mole %

Sheath: Polyethylene having a density of 0.950 g/cm<sup>3</sup>

On the other hand, the spunbonded nonwoven fabric of the presently claimed invention relates to a spunbonded fabric comprising fibers using olefin-based polymers of the same kind. The term "olefin-based polymers of the same kind" is defined in the present specification, at page 9, line 6 to page 10, line 20. Particularly, in a case when the polymers are olefin based homopolymers, it is disclosed that "the expression 'homopolymers of the same kind' means that they are, for example, all polyethylenes or all polypropylenes...." Therefore, a combination of a polyethylene and a polypropylene does not qualify as a combination of the polymers of the same kind.

Consequently, a spunbonded nonwoven fabric of Example 5 in Hisada is not a spunbonded nonwoven fabric using olefin-based polymers of the same kind. In fact, the spunbonded nonwoven fabric of Example 5 in Hisada corresponds to Comparative Example 1 of the present specification. As the results in Table 4 of the present specification show, the

nonwoven fabric of Comparative Example 1 has extensibility, but fuzz resistance is ranked as 1, which means "noticeable fuzzing and fracture." That is, the spunbonded nonwoven fabric of Example 5 in Hisada cannot achieve the effects of the presently claimed invention.

Moreover, Hisada does not disclose or suggest using olefin-based polymers "having a difference between induction periods of strain-induced crystallization, at the same temperature and the same shear strain rate, of 100 seconds or longer," recited in present claim 1, and the effects thereof.

In view of the foregoing, Applicants respectfully submit that the present claims are novel and patentable over Hisada, and thus the rejection should be withdrawn.

## **II. Examiner's Comments**

The Examiner states that "Applicants' Amendments and Accompanying Remarks filed on November 16, 2009 has been entered and carefully considered. Claim 1 is amended, claims 2, 3 and 8-15 are canceled and claims 1 and 4-7 are pending" (page 2, paragraph 1 of the Office Action).

Applicants wish to point out that on November 16, 2009, a Request for Continued Examiner (RCE) was filed requesting reconsideration of the Reply filed October 12, 2009. In the Reply filed October 12, 2009, no claim amendments were made. On the other hand, in an Amendment filed November 3, 2008, claim 1 was amended, and claims 2, 3 and 8-15 were canceled.

## **III. Conclusion**

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited. If there are any questions


concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at his earliest convenience.

Respectfully submitted,

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